

## REMARKS

These remarks are responsive to the Office Action, dated July 2, 2003. Currently, claims 1-28 are pending with claims 1, 16, 27, and 28 being independent.

In the Office Action, dated July 2, 2003, the Examiner rejected claims 1-4, 9, 15, and 24 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,064,730 to Ginsberg (hereinafter "Ginsberg"). These rejections are respectfully traversed.

In the Office Action, dated July 2, 2003, the Examiner rejected claims 5, 6, 10-13, 20, 21, 24, and 28 under 35 U.S.C. 103(a) as being unpatentable over the combination of Ginsberg with U.S. Patent No. 5,870,454 to Dahlen (hereinafter "Dahlen"). These rejections are respectfully traversed.

In the Office Action, dated July 2, 2003, the Examiner rejected claims 7, 8, 14, 16-19, 22, 23, 25, and 26 under 35 U.S.C. 103(a) as being unpatentable over Ginsberg. These rejections are respectfully traversed.

### 35 U.S.C. 102(e)

In the July 2, 2003 Office Action, the Examiner rejected claim 1 under 35 U.S.C. 102(e) as being anticipated by Ginsberg. The Examiner stated that Ginsberg teaches every element of claim 1. (See, Office Action, paper 3, page 2, paragraph 2). Applicant respectfully disagrees, as illustrated below.

According to MPEP § 2131:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference...The identical invention must be shown

in as complete detail as is contained in the ... claims. MPEP § 2131 (citations omitted).

Claim 1 recites a call center that includes a customer service response system (CSRS) capable of responding to an incoming telephone call from a calling party by playing a message to the calling party, a graphical user interface (GUI) electrically coupled to the CSRS and configured to receive and display information from the CSRS, where the information received from the CSRS originates from the calling party. (See, claim 1).

In contrast, Ginsberg recites a customer self routing call center, wherein “an interactive system providing customers with a visual presentation of an organizational structure and enabling the customer to directly route his or her call with a particular person, e.g., an agent, who is most able to address the customer's needs or concerns.” (Col. 2, lines 45-49). The agent is able to communicate with the customer by leaving specific messages in the customer’s virtual room. (See, Col. 4, 58-63). Ginsberg, however, does not provide a CSRS capable of responding to an incoming telephone call from a calling party by playing a message to the calling party, as recited in claim 1. That is, Ginsburg recites graphically displaying various information about a particular agent at the call center site.

Because each and every element of claim 1 is not found in Ginsberg, claim 1 is not anticipated by Ginsberg and is allowable. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 1.

Claim 27 is similarly not anticipated by Ginsberg for at least the same reasons stated above with respect to claim 1. Therefore, the rejection of claim 27 is respectfully traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 27.

Claims 2-4, 9, and 15 depend from claim 1. As such, claims 2-4, 9 and 15 are not anticipated by Ginsberg for at least the same reasons stated above with respect to claim 1. Therefore, the rejections of claims 2-4, 9 and 15 are traversed. The Examiner is respectfully requested to reconsider and withdraw his rejections of claims 2-4, 9 and 15.

35 U.S.C. 103(a)

In the Office Action, dated July 2, 2003, the Examiner rejected claim 16 under 35 U.S.C. 103(a) as being unpatentable over Ginsberg. This rejection is traversed.

According to MPEP § 2142:

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP § 2142 (citations omitted).

Further, according to MPEP § 2173.05(j):

A rejection required the citation of a single reference which broadly disclosed a combination of the claimed elements functionally cooperating in substantially the same manner to produce substantially the same results as that of the claimed combination. MPEP § 2173.05(j) (citations omitted).

In July 2, 2003 Office Action, the Examiner stated that claim 16 is rejected for the same reasons as claim 1 and that it would be obvious to one having ordinary skill in the art to incorporate into Ginsberg employing the GUI to prompt the CSRS to send a message to the caller and transmitting the message for receipt by the caller.

Claim 16 requires use of the GUI to send messages that are transmitted for receipt by the caller. Ginsberg does not suggest or motivate transmission of messages to the caller. Instead, it teaches away in that it stores messages in a “virtual room,” which the caller can then enter and retrieve. (See, Col. 4, lines 38-63). Therefore, rejection of claim 16 is respectfully traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 16.

Claims 5-8, 10-14, and 16-26 are dependent on claims 1 and 16, respectively. As such, claims 5-8, 10-14, and 16-26 are patentable over Ginsberg for at least the same reasons presented above. The combination of Ginsberg with Dahlen does not cure the deficiencies of Ginsberg with respect to claims 5, 6, 10-13, 20, 21, and 24. Therefore, rejection of claims 5-8, 10-14, and 16-26 is respectfully traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claims 5-8, 10-14, and 16-26.

In the Office Action, dated July 2, 2003, the Examiner rejected claim 28 under 35 U.S.C. 103(a) as being unpatentable over combination of Ginsberg and Dahlen. This rejection is traversed.

In the Office Action, the Examiner stated that claim 28 is rejected for the same reasons as claim 1 and 5. With respect to claim 5 the Examiner stated that it would be obvious to one having ordinary skill in the art to incorporate including a voice recognition program that is capable of converting voice signals into text messages and text messages into voice signal, as taught by Dahlen, in Ginsberg’s system. (See, Office Action, page 3, paragraph 4).

Claim 28 recites a call center that includes a customer service response system (CSRS) capable simultaneously responding to a plurality of incoming telephone calls from a plurality of calling parties by playing a message for receipt by each of the calling parties, a graphical user

interface (GUI) electrically coupled to the CSRS and configured to display information from the CSRS that originated from at least one of the plurality of calling parties, and voice recognition software included with the CSRS, where information from at least one the calling parties is received by the CSRS as a voice signal, and where the voice recognition software is configured to convert the voice signal into a text message for display on the GUI.

In contrast, Ginsberg discloses a customer self routing call center that includes a plurality of graphical representations of virtual call center agents that can respond to customer needs. Each graphical representation contains information for the customer about agent's skills, estimated wait time, number of customers waiting on a particular agent, availability of a particular agent, etc. (See, Col. 4, 38-63). Ginsberg, however, fails to suggest or motivate for a CSRS capable of simultaneously responding to a plurality of incoming telephone calls from a plurality of calling parties by playing a message for receipt by each of the calling parties, as recited in claim 28.

Dahlen recites an intelligent network telecommunications service, which allows a calling party to provide a voice message that is converted by the service to a text message, where the text message is transmitted to corresponding types of receiving equipment. (Abstract). Dahlen, however, does not teach or suggest a CSRS capable of simultaneously responding to a plurality of incoming telephone calls from a plurality of calling parties by playing a message for receipt by each of the calling parties, as recited in claim 28. There is no suggestion or motivation for the hypothetical combination of Ginsberg and Dahlen to achieve claim 28. Claim 28 should be allowed.

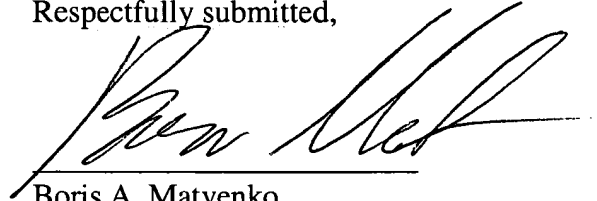
The combination of Ginsberg and Dahlen does not realize the present invention as recited in claim 28. Specifically, Ginsberg discloses a customer self routing call center that includes a plurality of graphical representations of virtual call center agents that can respond to customer needs, where each graphical representation contains information for the customer about agent's skills, estimated wait time, number of customers waiting on a particular agent, availability of a particular agent, etc. Dahlen discloses a telecommunication service that is capable of converting voice messages to text for delivery to a receiving equipment. The combination of Ginsberg and Dahlen produces a customer self routing call center capable of graphically representing to customer information about a particular agent and converting voice messages from the calling party to text for delivery to an agent. However, the combination fails to teach a call center having a customer service response system (CSRS) capable of simultaneously responding to a plurality of incoming telephone calls from a plurality of calling parties by playing a message for receipt by each of the calling parties.

Because it is improper to combine Ginsberg and Dahlen, there is no support for a prima facie case of obviousness as suggested by the Examiner. Therefore, the Examiner's rejection of claim 28 is traversed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 28.

No new matter has been added.

The claims currently presented are proper and definite. Allowance is accordingly in order and respectfully requested. However, should the Examiner deem that further clarification of the record is in order, we invite a telephone call to the Applicants' undersigned attorney to expedite further processing of the application to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Boris A. Matvenko", written over a horizontal line.

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